

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK GORGE
d/b/a MARK GORGE AND ASSOCIATES,

Plaintiff,

v.

RAPID ADVANCE, LLC, a Maryland limited
liability company, and RAPID FINANCIAL
SERVICES, LLC, a Delaware limited liability
company,

Defendants,

and

RAPID ADVANCE, LLC, a Maryland limited
liability company,

Defendant/Counter-Plaintiff

v.

MARK GORGE
d/b/a MARK GORGE AND ASSOCIATES,

Plaintiff/Counter-Defendant

Case No. 2:10-cv-11474

Hon. Denise Page Hood
Magistrate: Hon. Donald A. Scheer

**MOTION AND MEMORANDUM OF LAW OF VARNUM LLP TO
WITHDRAW AS COUNSEL FOR RAPID ADVANCE, LLC**

Pursuant to Michigan Rule of Professional Conduct ("MRPC") 1.16, Varnum LLP ("Varnum"), moves to withdraw as counsel for Defendant Rapid Advance, LLC ("Rapid Advance"). Pursuant to E.D. Mich. Local Rule 7.1(a), Varnum sought concurrence with counsel for Plaintiff, and Plaintiff concurs in this motion. In support of this motion, Varnum states as follows:

1. MRPC 1.16(b) provides in pertinent part:

(b) . . . [A] lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client, or if: . . .

(6) other good cause for withdrawal exists.

2. Good cause for withdrawal exists in this case. While Varnum initially received consent for joint representation in defense of this matter, that consent was recently withdrawn. Varnum has concluded that it cannot continue to represent Rapid Advance, and withdrawal is necessary. Rapid Advance has not consented to withdrawal.

3. There will be no prejudice to Rapid Advance's interests as a result of Varnum's withdrawal. The parties have not yet filed their Joint Discovery Plan, the Court has not yet conducted the Rule 16 conference, discovery has not begun, and a trial date has not been set.

THEREFORE, Varnum respectfully requests this Court enter an Order allowing it to withdraw as counsel for Rapid Advance.

Respectfully submitted,

VARNUM
Attorneys for Rapid Advance, LLC

Date: May 27, 2010

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